

Mr. Speaker, as a member of the armed services, I know how important it is to protect the families of those who serve when tragedy strikes. That is why I was proud to join Representative HARDER to introduce this legislation, which will allow the spouses and dependents of servicemembers who are killed or catastrophically injured in the line of duty to terminate their phone, internet, and TV contracts without penalty.

Last year, the Veterans Benefits and Transition Act of 2018 passed the House with overwhelming support. That legislation included a number of changes to existing law to protect our servicemembers and our Gold Star families.

However, due to a drafting error, the bill only allowed servicemembers, not their spouses and dependents, to end their phone, internet, and TV contracts without penalty. This bill corrects that error and ensures that grieving families are able to terminate contracts, giving them the freedom to relocate based on the needs of their families.

Mr. Speaker, I thank the House Veterans' Affairs Committee for advancing this legislation to the floor, and I urge all Members to support this bill.

Mr. TAKANO. Mr. Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, this is commonsense legislation—I talk about this a lot when I go home—about a grieving spouse, a husband or wife, who has lost a family member in combat in service to our country. I saw many of those this past weekend, as many of us did, as we attended veterans events.

I can't think of anything worse than being a spouse who is in a city that is unfamiliar to them, away from family, and to have these contractual obligations through our catastrophically injured veteran or a deceased veteran.

It is the right thing to do. Everywhere I go and talk about this throughout the country, our fellow Americans want this done.

Mr. Speaker, I strongly encourage my colleagues to support this much-needed legislation, and I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with my friend and colleague from Tennessee, Ranking Member ROE. This is commonsense legislation. We should not compound the suffering of a family, whether they are caretakers or grieving, with the complications that they may not be aware of, which are these continuing contractual agreements for cable, internet, or other types of contractual agreements of the sort. This bill addresses a way for families to easily terminate these contracts.

Mr. Speaker, I urge all of my colleagues to join me in passing H.R. 4356, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4356, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GI BILL PLANNING ACT OF 2019

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4162) to amend title 38, United States Code, to extend the period under which an election must be made for entitlement to educational assistance under the All-Volunteer Educational Assistance Program of Department of Veterans Affairs, to phase out the use of such program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “GI Bill Planning Act of 2019”.

SEC. 2. PERIOD FOR ELECTION TO RECEIVE BENEFITS UNDER ALL-VOLUNTEER EDUCATIONAL ASSISTANCE PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 3011 of title 38, United States Code, is amended—

(1) in subsection (c)(1), by striking “Any such election shall be made at the time the individual initially enters on active duty as a member of the Armed Forces” and inserting “Any such election shall be made during the 90-day period beginning on the day that is 180 days after the date on which the individual initially enters initial training”; and

(2) in subsection (b)(1), by striking “that such individual is entitled to such pay” and inserting “that begin after the date that is 270 days after the date on which the individual initially enters initial training”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 180 days after the date of enactment of this Act.

SEC. 3. PHASE OUT OF ALL-VOLUNTEER EDUCATIONAL ASSISTANCE PROGRAM.

Subsection (a)(1)(A) of section 3011 of title 38, United States Code, as amended by section 1, is further amended by striking “after June 30, 1985” and inserting “during the period beginning July 1, 1985, and ending September 30, 2029”.

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4162, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4162, as amended, the GI Bill Planning Act of 2019.

Mr. Speaker, this bill was introduced by Representative JACK BERGMAN and Representative KATHLEEN RICE. Both of them are great members of our committee and tireless fighters for veterans. I thank Representative BERGMAN for his work on this legislation and his commitment to working with me on several issues related to veterans education and healthcare.

Mr. Speaker, with the enactment of the Post-9/11 GI Bill, the Montgomery GI Bill has become a less attractive option for many servicemembers. In most cases, the benefits are worse for servicemembers when choosing the Montgomery GI Bill instead of the Forever GI Bill. The issue is that many servicemembers sign up without knowing what they are signing up for.

For a servicemember to receive benefits through the Montgomery GI Bill, they must elect to pay into it when they first enter the military. Often, this is a chaotic period in a servicemember's life, to say the least. They are unable to give the decision much thought or do not fully understand the full impact of the decision at the time.

Also, there have been ongoing reports that some servicemembers are pressured to sign up by instructors at initial entry training or lose the benefit. This bill addresses this concern by moving the date when a servicemember elects to join the program so they can better understand and make a better informed decision.

Many end up signing up for the Montgomery GI Bill benefits only to never use them and never see them refunded. This is wrong and a waste of our servicemembers' money.

The committee will work to ensure that the Post-9/11 GI Bill is updated to ensure that future generations who may have benefited more from the Montgomery GI Bill than the Post-9/11 GI Bill do not see one bit of a drop-off in potential benefits. With the work we are doing to empower State approving agencies to improve the quality of education, now is the time for us also to improve the quality of benefits for our servicemembers.

I thank Representative BERGMAN and Representative RICE for their leadership, and I urge all of my colleagues to support the passage of H.R. 4162.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4162, as amended, the GI Bill Planning Act of 2019.

Mr. Speaker, in order to be eligible for the Montgomery GI Bill, servicemembers automatically have \$100 a month deducted from their paycheck for the first 12 months of their service for a total of \$1,200. Currently, servicemembers have to elect to opt out of these payments just a few short days into their basic training or boot camp. From personal experience, I can say that is not the time to be making such an important decision.

This bill would extend the time the servicemember has to elect out of the Montgomery GI Bill to a 90-day period beginning 180 days after the date the servicemember enters training. It gives them 6 months to kind of think about it a little bit and then some time.

□ 1715

By delaying the decision to elect out of that Montgomery GI Bill, servicemembers will have more of an opportunity to research which GI Bill, the Post-9/11 GI Bill, or the Montgomery GI Bill is best suited to meet their educational needs in the future outside of the pressure and constraints of boot camp.

In addition, this bill would responsibly sunset the Montgomery GI Bill benefit for new enlistees in 2029. This would mean that current servicemembers or anyone who chooses this benefit before 2029, would not be impacted.

While the legacy of the Montgomery GI Bill benefit has helped thousands, it only makes sense to move to the more generous Post-9/11 GI Bill. This change would help ease confusion among student veterans and make things easier for the Department of Veterans Affairs to administer the benefit.

I am also glad that the text of my bill, H.R. 3608, which would extend in-state tuition benefits to veterans is also included in this bill. The 2014 CHOICE Act required that public schools charge veterans who are within 3 years of their discharge in-state tuition rates regardless of whether they meet the State's residency requirements in order to be eligible for GI Bill programs.

That requirement was waivable, but to date, all States and public schools are complying with it. Last Congress I was proud to coauthor the Forever GI Bill, which, among other improvements to the Post-9/11 GI Bill, eliminated the requirement that a veteran's 36 months of GI Bill benefits expire 15 years after their last discharge from Active Duty.

Now that this change has become law, it makes no sense to require that the veteran be within 3 years of their discharge to receive in-state tuition rates if they have their entire lives to use their GI Bill benefits.

I want to thank my good friend and colleague Congressman JACK BERGMAN from Michigan for all of his hard work on this bill, and I urge my colleagues to support the GI Bill Planning Act of 2019.

Mr. Speaker, I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I have no further speakers and I am prepared to close. I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. BERGMAN), to debate his bill. General BERGMAN served as the chairman of the Subcommittee on Oversight and Investigations in the 115th Congress, and he is now the ranking member.

Mr. Speaker, I didn't get a chance to wish the gentleman a belated happy Veterans Day.

Mr. BERGMAN. Mr. Speaker, I thank the gentleman for his recognition.

Mr. Speaker, I rise today on behalf of H.R. 4162. But I would like to rise on behalf of not only the veterans, but also, the day before Veterans Day was the 244th birthday of the United States Marine Corps.

The point is, all of the members of the military who serve and have served, no matter what branch of service, we are proudly serving in the culture that we chose.

That would be, in my case, the Marine Corps. And we are honored that so many of our fellow veterans from the other services have chosen to join us in the celebration of service to our country. So it is an honor to be here, but also it is more of an honor to represent the veterans on the Veterans' Affairs Committee, so ably led by Chairman TAKANO and Ranking Member ROE.

As far as H.R. 4162, as amended, the GI Bill Planning Act of 2019, the support we have gotten across the committee on this is nothing short of spectacular and bipartisan. I would like to thank Congresswoman KATHLEEN RICE for her support in making this happen.

As Ranking Member ROE mentioned, during the first 2 weeks of boot camp, recruits are really not focused on making any big decisions, other than staying with the program and making sure that they get through boot camp. So they are not only asked to make a tough decision. They are actually required to make a very consequential decision at a time of extreme fatigue.

They must decide whether to opt out of their Montgomery GI Bill benefit or pay \$1,200 to keep their eligibility for down the road later on when they are eligible to use it as a veteran.

Seventy percent of these enlistees are choosing to pay this relatively large expense, but few will ever use the Montgomery GI Bill. Rather, 97 percent of veterans today are choosing the newer Post-9/11 GI Bill, which usually amounts to a higher monetary benefit.

My legislation, the GI Bill Planning Act, would delay this decision to no earlier than 6 months after these young men and women have completed boot camp and entered service, instead of that first 2 weeks, again, very critical in their time for success in boot camp.

Additionally, this bill would responsibly end new enlistee enrollments in

the outdated Montgomery GI Bill by October 2029. While the Montgomery GI Bill has helped millions of veterans since 1984, it is time to simplify benefits and sunset this bill.

Mr. Speaker, not only can this legislation save enlistees money, but it can also ensure that they are more informed in their educational benefits decisions. It is important that these motivated young men and women know that we in Congress have their backs and are thinking of them as they plan their bright futures in service to our great Nation.

I urge my colleagues to support H.R. 4162, as amended.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I, too, wish the Marine Corps a happy birthday, but as usual, they are behind the Army. Their birthday is later than the U.S. Army which is older than the Marine Corps. I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Let me just say, I wish to extend a belated happy Veterans Day to both of my colleagues, Dr. ROE and General BERGMAN. We certainly appreciate their service. I extend this congratulations and gratitude to all of our servicemembers, and I underscore all of our servicemembers, whether they be the Marines, the Army, the Air Force, the Navy, or the Coast Guard. And I understand the friendly rivalry, but I want to make sure that everyone knows whatever service they engaged, that America appreciates them.

Mr. Speaker, I have no further speakers. I am prepared to close, and I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I, too, have no further speakers, and I am prepared to close. I recommend that all of my colleagues support this very commonsense legislation, the GI Bill.

I used the GI Bill in 1975–1976, when I got out of the Army. It was an amazing piece of legislation. It helped me then. I am appreciative to this day that my country invested \$300 a month in me for 2 years, and that I got to use that. It really helped me a lot.

This bill that we have now, the Forever GI Bill, is a phenomenal benefit for young people. We know the GI Bill helped transform a generation after World War II. I believe this Forever GI Bill will transform this generation, and I wholeheartedly encourage my colleagues to support it.

I yield back the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

I wish to associate myself with the remarks of the ranking member regarding the transformative power of the GI Bill right after World War II, what it did for a generation.

I want to also take note that the Forever GI Bill was shepherded by Ranking Member ROE when he was the chairman and it still is an amazing, remarkable accomplishment that we

have made the GI Bill a lifetime benefit that can be used at any point in a veteran's lifetime. And, also, if they don't use it, they can transfer it to a spouse or their children. This is a remarkable piece of legislation.

It took cooperation of a minority working in good faith during the last session of Congress, and I think it is a remarkable accomplishment.

Mr. Speaker, I urge all of my colleagues to join me in passing H.R. 4162, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4162, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. TAKANO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

VA DESIGN-BUILD CONSTRUCTION ENHANCEMENT ACT OF 2019

Mr. TAKANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3996) to amend title 38, United States Code, to provide for certain requirements relating to the use of the design-build construction method for Department of Veterans Affairs construction projects, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3996

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "VA Design-Build Construction Enhancement Act of 2019".

SEC. 2. FINDINGS; SENSE OF CONGRESS REGARDING THE DESIGN-BUILD CONSTRUCTION METHOD FOR DEPARTMENT OF VETERANS AFFAIRS CONSTRUCTION PROJECTS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Inspector General of the Department of Veterans Affairs found that, in the Aurora, Colorado, replacement medical center project, the Department decided to change its acquisition strategy from traditional design-bid-build to integrated-design and construct in the fourth year of the project, which was too late for the integrated design-construction firm to provide effective input into the design.

(2) In response to deficiencies in the Department's management of the Aurora, Colorado, replacement medical center project and in order to prevent reoccurrence of such deficiencies in the future, Congress enacted section 8103 of title 38, United States Code, which mandates that an appropriate non-Department Federal entity take over management of future super construction projects of the Department, including project design,

acquisition, construction, and contract changes.

(3) It has been the policy of the Federal Government since the enactment of the Clinger-Cohen Act of 1996 (Public Law 104-106) that design-build shall be used when appropriate circumstances are present.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the unsuccessful use of the integrated-design and construct acquisition method in the Aurora, Colorado, replacement medical center project should not be interpreted to mean that design-build, as described in section 3309 of title 41, United States Code, is unsuitable for construction projects of the Department of Veterans Affairs; and

(2) when used properly by adequately trained acquisition and construction management personnel and in the appropriate circumstances, design-build is an effective construction acquisition method for the Department of Veterans Affairs, which has been demonstrated to reduce change orders, decrease the duration between design completion and beneficial occupancy, and increase warranty protections.

SEC. 3. DEPARTMENT OF VETERANS AFFAIRS USE OF DESIGN-BUILD CONSTRUCTION METHOD.

(a) USE OF DESIGN-BUILD SELECTION PROCEDURES.—Section 8106 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) If the Secretary seeks to enter into a contract for the design and construction of a building or facility, the Secretary shall use the procedures established in section 3309 of title 41.

"(2) In the case of a super construction project for which a non-Department Federal entity provides project management services under section 8103(e) of this title, the Secretary shall not discourage the entity from using the procedures established in section 3309 of title 41."

(b) COVERED CERTIFICATION PROGRAM.—Section 8103(g)(6)(A) of such title is amended by inserting "including design-build construction" before the period at the end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 3996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3996, the VA Design-Build Construction Enhancement Act of 2019. This bipartisan bill encourages VA to use a method of managing construction projects termed design-build in appropriate circumstances.

In addition, this bill incorporates design-build training into the VA construction management curriculum. There have been multiple internal VA and Government Accountability Office reports that have been very critical,

documenting serious delays in cost overruns in VA facility construction and other projects.

At present, both veterans and taxpayers are suffering from the cumbersome VA construction process. I am confident this piece of legislation will help deliver state-of-the-art facilities to our veterans in a more effective and expeditious manner.

Design-build is a proven way to deliver construction projects in a more efficient and timely manner. This method is widely used in the private sector, and it has been used in parts of the Federal Government for over 20 years.

For those of you who are unfamiliar with this technique, design-build is a delivery method for construction projects that combines the architectural, engineering, and construction services into a single contract. It is an innovation from traditional design-bid-build construction, where design and construction are sequential and performed by different contractors, thus creating costly and lengthy timelines for delivering much-needed sites of care for our veterans.

Over the years, the Department of Veterans Affairs has faced numerous challenges when it comes to managing construction projects. I am aware that some of these challenges are caused by Congress due to the time it takes to authorize and secure funds for new builds. However, a good portion of these construction challenges are self-inflicted.

This committee is intimately aware of the Rocky Mountain Regional VA Medical Center in Aurora, Colorado. Not only was the opening of the new state-of-the-art medical center several years delayed, it was \$1 billion over budget. This is a tragic disservice to our Nation's veterans and taxpayers.

Unfortunately, Aurora, Colorado, is only one of several examples of challenged VA construction projects. The VA is currently facing a multimillion-dollar backlog of construction projects. I am confident that a shift to design-build in appropriate circumstances could tremendously decrease the cost and shorten the length of time for VA construction projects.

Mr. Speaker, I urge all Members to support H.R. 3996, and I reserve the balance of my time.

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3996, the VA Design-Build Construction Enhancement Act of 2019.

This bill is sponsored by my good friend Congressman JIM BANKS from Indiana. Congressman BANKS is a former chairman and current ranking member of the Subcommittee on Technology Modernization and a tireless advocate for his fellow veterans.

His bill would encourage the use of the design-build construction method in the Department of Veterans Affairs by adding a reference to VA's construction statute, to existing government-